

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/626,596

Attorney Docket No.: Q76612

AMENDMENTS TO THE DRAWINGS

Per the Examiner request on page 2 of the Office Action, Applicant hereby submits one replacement sheet where Figure 1 is labeled "Prior Art".

Attachment: (1) Replacement Sheet

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REMARKS

Reconsideration and allowance are respectfully requested in the subject application. Claims 1-7 are all the claims pending in the application.

By this Amendment, Applicant adds new claims 8 -11, hence, claims 1-11 are all the claims pending in the application. Applicant also amends claims 1-7 to improve clarity, and respectfully submits that the amendments do not include new matter.

Drawing Objections

The Examiner requests that that Figure 1 be labeled "Prior Art". Applicant hereby submits one (1) replacement sheet for Figure 1, and respectfully requests that the Examiner withdraw the objection to the drawings.

Rejection Under 35 U.S.C. § 101

Claim 7 is rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. By this Amendment, Applicant has amended claim 7 to comply with 35 U.S.C. § 101, and respectfully requests that the Examiner withdraw the rejection of the claim.

Rejection Under 35 U.S.C. §102(e)

Claims 1-3 are objected under 35 U.S.C. § 102(e) as allegedly anticipated by Rao et al.

Claim 1 (as amended) recites:

An interception device comprising a Session Initiation Protocol proxy server or a Media Gateway Controller to detect information in signaling information being transmitted between two Internet Protocol parties and to generate instructions out of the detected signaling information for instructing a Real-time Transport

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Protocol proxy server to create channels to bypass a media stream to
be intercepted via an intermediate storage medium.

Applicant respectfully submits that Rao does not teach or suggest the above recited features
of claim 1.

Rao is directed to the interception of call content at access points in a soft switch control
network. Rao discloses call intercept under three different scenarios, two party calling, three party
calling and direct access networks. The Examiner cites the direct access network scenario in his
rejection of claim 1. According to Rao, if a subscriber A wishes to call subscriber B over a network
120, a soft switch 100 receives a notification that subscriber A has gone off hook and the soft switch
100 then checks the features available to subscriber A (the originating subscriber) and determine that
subscriber A is attempting to originate a call. The soft switch 100 then instructs the integrated access
device 300 to apply a dial tone, collect the dialed digits and send the dialed digits to the soft switch
100. Thus, if subscriber A attempts to call subscriber B, the collected digits are the telephone
number for subscriber B. See par. 66 of Rao. When the soft switch 100 receives a request involving
subscriber A, it also determines from an internal database that subscriber A has been designated an
"intercept subject" by law enforcement. The switch 100 then begins the process of intercepting the
intercept subject's (subscriber A) transmitted call content, and call content the subject received from
other parties (subscriber B), and channel that content to one or more law enforcement agencies. See
par. 72 of Rao.

In setting up the intercept, the soft switch 100 first identifies an access point for intercepting
the call content transmitted by subscriber A. The soft switch will also instruct the chosen access
point to set up a bearer path for carrying subscriber A's transmitted call content to a delivery function
160. Soft switch 100 will instruct delivery function 160 to send subscriber A's transmitted call

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content to one or more law enforcement agencies. In addition to interpreting subscriber A's call content, the soft switch 100 also identifies a second access point for intercepting call content originating from the destination which will receive subscriber A's call content based on the collected digits. That is, subscriber B. The soft switch 100 will instruct the delivery function 160 and chosen access point to create a second channel to the law enforcement agencies for transmitting the call content from subscriber B. Rao discloses that this procedure may be employed in a telecommunication system employing session internet protocol (SIP) and the intercepted call content may be accessed at a network device such as edge routers where RTP streams may be duplicated for transmission to delivery function 160. *See* Rao, paragraphs 72-79.

First, Applicant respectfully submits that Rao does not disclose the claimed SIP proxy server or MGC Controller. On page 3 of the Office Action, the Examiner asserts that Fig. 7 and paragraph 79 disclose the claimed SIP proxy server. However, claim 1 recites that the SIP proxy server "detects information in signaling information being transmitted between IP parties and generates instructions out of the detected signaling information for instructing an RTP proxy server to create channels". In Rao, the soft switch 100 serves the purpose of instructing access points to create channels to bypass content from the subscriber A. *See* Rao at paragraph 73. Fig. 7 of Rao merely shows an SIP server located on the user premises, undoubtedly, to facilitate voiceover IP using the session information protocol. However, Rao does not disclose that the SIP server "detects information in the signaling information being transmitted between the two IP parties", nor does Rao disclose that the SIP server "generates instructions out of the detected signaling information for instructing an RTP proxy server to create channels to bypass a media stream to be intercepted via an intermediate storage media", as recited in claim 1. Applicant respectfully submits that the soft switch 100 detects that a subscriber designated as an internet subject is attempting to transmit call content and which sets up the channels for intercepting the call content.

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Applicant further submits that even if it is assumed that switch 100 is an SIP proxy server or MGC Controller (which is not the case), the switch 100 does not operate to “detect information in the signaling information being transmitted between two IP parties or to generate instructions out of the detected signal information for instructing an RTP proxy server to create channels to bypass a media stream to be intercepted via an intermediate storage medium”, as recited in claim 1. According to Rao, the switch 100 operates to set up a first bearer path between the chosen access point for intercepting the call content of subscriber A. At the access point, the call content is duplicated and the duplicates are transmitted to a delivery function 160 which in turn transmits the subscriber A’s call content to one or more law enforcement agencies. *See* Rao at paragraph 75. Information the other copy of the call content is then forwarded on to the destination or subscriber B. Fig. 7 of Rao shows call content traveling from the user premises to the router 710. At the router 710 copies are made of the call content. One copy is sent to the router 720 and then on to the destination subscriber. Another copy is sent to the delivery function 160 and then to law enforcement agencies 170. Therefore, Rao does not disclose “instructing an RTP (Real-time Transport Protocol) proxy server to create channels to bypass a media stream to be intercepted via an intermediate storage medium”, as recited in claim 1, because the media stream is not bypassed. Instead, copies of the call content are created and some are sent to the destination server or subscriber, other copies are sent to the law enforcement agencies.

According to an exemplary embodiment of the invention shown in Fig. 2, first A sends an invitation through the SIP proxy server through the interception proxy server to B. B responds with an okay. Then the interception proxy server which is the SIP server creates a bypass through the RTP proxy which includes a RTP recorder. Then multimedia information passes from A via the bypass through the RTP proxy server to B. This is distinguishable from Rao where copies are made

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of the call content at the interception access point and are separately transmitted to the law enforcement agency or the destination subscriber B.

In view of the above, Applicant respectfully submits that independent claim 1 is not anticipated under 35 U.S.C. § 102(e) by Rao, because the cited reference does not teach or suggest all of the features of the claim. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1.

For substantially the same reasons as with independent claim 1, Applicant respectfully submits that claims 2 and 3 are not anticipated by Rao under 35 U.S.C. § 102(e). Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 2 and 3.

Claims 4-6 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Takeda et al. (U.S. Patent Applicant 2003/0110292; hereinafter "Takeda"). Applicant respectfully traverses the rejection.

Independent claim 4 as amended recites claim 4 recites, in part:

receiving an SIP invite message of a first IP party,
adapting at least one connection parameter in the Session
Description Protocol (SDP) of the received SIP invite message,
transmitting the adapted SIP invite message to a second IP party,
receiving an SIP response message of the second IP party,
adapting at least one connection parameter in the SDP of the
received SIP response message, and
transmitting the adapted SIP response message to the first IP
party.

Applicant respectfully submits that that Takada does not disclose, "adapting at least one connection parameter in the SDP (Session Description Protocol) of the received SIP invite message", and "adapting at least one connection parameter in the SDP (Session Description Protocol) of the received SIP response message", as recited in claim 4.

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Takada relates to, generally, a system for interconnecting networks which conform to the same or different protocol. The Examiner cites Figures 8-15 and paragraphs [0022] - [0025] of Takada as allegedly disclosing the above recited features of claim 4. However, Applicant respectfully submits that the cited portions of Takada merely disclose a method for processing a message, which includes, translating information in the first part of the message from a first to a second protocol, determining whether a second part of the message requires a translation, and translating the second part of the from the first protocol to the second protocol. Takada does not specifically disclose, "adapting at least one connection parameter in the SDP (Session Description Protocol) of the received SIP invite message", and "adapting at least one connection parameter in the SDP (Session Description Protocol) of the received SIP response message", as recited in claim 4.

Therefore, Applicant respectfully submits that independent claim 4 is not anticipated under 35 U.S.C. § 102(e) because Takada does not disclose all the features and limitations of the claim. Accordingly, Applicant respectfully request that the Examiner withdraw the rejection of independent claim 4, and claims 5 and 6 which are *at least* patentable by virtue of their dependency on claim 4.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

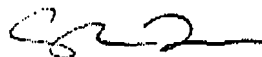
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: August 31, 2007

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner German Viana DI PRISCO at the Patent and Trademark Office on August 31, 2007 at 571-273-8300.

Respectfully submitted,



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